

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES SURETY COMPANY :

:

v. : Civil Action No. 05-675 GMS

:

M. MILLER TRUCKING CO., et al. :

**ORDER**

WHEREAS, on September 16, 2005, this interpleader action was filed (D.I. 1);

WHEREAS, on January 13, 2006, a summons was returned executed on December 21, 2005, as to Nelson Freight Service, Inc. (“Nelson” ) and its answer to the complaint was due on January 9, 2006 (D.I. 11);

WHEREAS, on January 12, 2006, an Answer was filed as to Nelson (D.I. 15);

WHEREAS, on January 12, 2006, the clerk’s office issued a letter to counsel for Nelson regarding the requirement for local counsel in the District of Delaware (D.I. 17);

WHEREAS, on January 20, 2006, counsel for Nelson filed a letter with the clerk of the court indicating that, due to the small amount of money involved, he was “withdrawing notice of retainer” in this matter and that Nelson would appear as a pro se defendant (D.I. 18);

WHEREAS, “a corporation may appear in the federal courts only through licensed counsel”<sup>1</sup>;

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<sup>1</sup> *Rowland v. California Mens Colony*, 506 U.S. 194, 202 (1993); *Carefirst of Maryland, Inc. v. Care First Transportation, Inc.*, No. Civ. A. 02-229(MPT), 2002 WL 31500927, at \* 3 (D. Del. Nov. 1, 2002).

IT IS HEREBY ORDERED that:

Given the small amount of money involved in this action, counsel for Nelson is exempted from Local Rule 83.5(d) of Civil Practice for the United States District Court for the District of Delaware and may continue to represent Nelson without representation by local counsel;

January 26, 2006

/s/ Gregory M. Sleet

UNITED STATES DISTRICT JUDGE